

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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YU ZHANG, *on his own behalf and on behalf of* :  
*others similarly situated,* :

Plaintiff, :

-against- :

SABRINA USA INC d/b/a YUMI SUSHI, et al., :

Defendants. :

18-CV-12332 (AJN) (OTW)

**ORDER**

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**ONA T. WANG, United States Magistrate Judge:**

The Court has reviewed the parties' submissions regarding whether an award of fees and costs under Federal Rule of Civil Procedure 37(a)(5)(A) is appropriate in light of the Court's granting Defendants' request for a discovery extension. (ECF 33, 34). Upon review of the emails in question, the Court notes the potential confusion caused by different conferences being referenced. Accordingly, Defendants' letter motion is **DENIED**, with the parties bearing their own costs. The Court reminds Plaintiff's counsel, however, that moving forward, he shall not unreasonably withhold consent and shall engage in substantive meet and confers with opposing counsel to avoid any misunderstandings. The Clerk is directed to close ECF 32.

**SO ORDERED.**

Dated: October 3, 2019  
New York, New York

s/ Ona T. Wang

**Ona T. Wang**  
United States Magistrate Judge